

**COMMUNITY AFFAIRS
DIVISION OF CODES AND STANDARDS
Uniform Construction Code
Fire Protection Subcode
Proposed Amendment: N.J.A.C. 5:23-3.17**

Authorized by: Susan Bass Levin, Commissioner, Department of Community Affairs

Authority: N.J.S.A. 52:27D-124

Proposal Number: PRN 2003 -

Calendar: See Summary below for explanation of exception to the rulemaking calendar requirements of N.J.A.C. 1:30-3.3(a)5.

Submit written comments by: May 3, 2003 to:

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SUSAN BASS LEVIN, Commissioner

The agency proposal follows:

Summary

The proposed amendments to NJAC 5:23-3.17, the Fire Subcode, reflect changes made necessary by the adoption of the International Building Code/2000 (IBC) and the National Electrical Code/2002 (NEC). All references to the Building Officials and Code Administrators (BOCA) National Building Code/1996 and National Electrical Code/1999 are proposed for deletion and shall have the appropriate IBC and NEC references are inserted in their place.

As the Department has provided a 60-day comment period on this notice of proposal, this notice is exempted from the rulemaking calendar requirement, pursuant to N.J.A.C. 1:30-3.3(a)5.

Social Impact

The proposed amendments would enhance the effectiveness of the Uniform Construction Code by deleting terms and references that are obsolete or incorrect. Correcting these references will result in a consistent and uniform enforcement of the Code.

Economic Impact

The Department does not anticipate that the proposed amendments would have any positive or negative economic impact.

Federal Standards Statement

No Federal Standards analysis is required because the proposed amendments are not being proposed pursuant to Federal law or in order to implement, comply with, or participate in any program established under Federal law or under a State law that incorporates or refers to Federal law, standards, or requirements.

Jobs Impact

No jobs will be lost or created as a result of the proposed amendments.

Agriculture Industry Impact

The Department does not anticipate that the proposed amendments would have any impact on the agricultural industry.

Regulatory Flexibility Statement

As stated above, the Department does not anticipate that the proposed amendments would have any positive or negative economic impact. These amendments do not require small businesses, as defined in the Regulatory Flexibility Act, N.J.S.A. 52:148B-16 et seq., to undertake any record keeping or reporting or to obtain professional services in order to comply with the UCC.

Smart Growth Impact

Due to the subject matter of this proposal, the Department does not expect that it would have any impact upon either achievement of smart growth or implementation of the State Development and Redevelopment Plan.

Full text of the proposal follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]):

5:23-3.17 Fire protection subcode

(a) Rules concerning the subcode adopted area as follows:

1. Pursuant to the authority of P.L. 1975, c.217 as modified by P.L. 1996, c.53, the Commissioner hereby adopts the following portions of the building, electrical, mechanical and fuel gas subcodes, to the extent delineated in N.J.A.C. 5:23-3.4, as the fire protection subcode for New Jersey.

[i. BOCA National Building Code/1996 of the Building Officials and Code

Administrators International Inc. (N.J.A.C. 5:23-3.14):

- (1) Chapter 3 entitled, "Use or Occupancy"
- (2) Chapter 4--Special Use and Occupancy;
- (3) Chapter 7--Fire resistant Materials and Construction;
- (4) Chapter 8--Interior Finishes;
- (5) Chapter 9 Fire Protection Systems. Add the following to section 906.8:
Hydraulic system data plates shall conform to N.J.A.C. 5:23-3.5(d);
- (6) Chapter 10--Means of Egress;
- (7) Sections 2113.0 through 2117.0 of Chapter 21--Masonry;
- (8) Sections 2603.0 through 2605.0 of Chapter 26--Plastic;

Construction;

- (9) Section 3106.0 of Chapter 31--Special Construction;
- (10) Section 3305.0 of Chapter 33--Site Work, Demolition and
- (11) Section 3406.0 of Chapter 34--Existing Structures.

ii. National Electrical Code/1999 of the National Fire Protection Association (N.J.A.C. 5:23-3.16).

General Use;

- (1) Section 300-21 of Chapter 3--Wiring Methods and Materials;
- (2) Article 450, Part C--Transformer Vaults of Chapter 4--Equipment for
- (3) Chapter 5--Special Occupancies;
- (4) Article 695--Fire Pumps of Chapter 6--Special Equipment;
- (5) Article 760--Fire Alarm Systems of Chapter 7--Special Conditions;]

i. International Building Code/2000 of the International Code Council , Inc. (N.J.A.C. 5:23-3.14):

Occupancy;

- (1) Chapter 3 – Use and Occupancy Classification;**
- (2) Chapter 4 – Special Detailed Requirements Based on Use and**
- (3) Chapter 7 – Fire Resistance-Rated Construction;**
- (4) Chapter 8 – Interior Finishes;**
- (5) Chapter 9 – Fire Protection Systems and N.J.A.C. 5:23-3.5(d) entitled “Posted Hydraulic System Data Plate”;**
- (6) Chapter 10 – Means of Egress;**
- (7) Sections 2111 through 2113 of Chapter 21 – Masonry;**
- (8) Sections 2603 through 2607 of Chapter 26 – Plastic;**
- (9) Section 3104 of Chapter 31 – Special Construction;**
- (10) Section 3309, 33011 and 3312 of Chapter 33 – Safeguards During**

Construction.

ii. National Electrical Code/2002 of the National Fire Protection Association (N.J.A.C. 5:23-3.16).

Equipment for General Use;

- (1) Section 300.21 of Chapter 3 – Wiring Methods and Materials;**
- (2) Article 450, Part III – Transformer Vaults of Chapter 4 –**
- (3) Chapter 5 – Special Occupancies;**
- (4) Article 695 – Fire Pumps of Chapter 6 – Special Equipment;**
- (5) Article 760 – Fire Alarm Systems of Chapter 7 – Special**

Conditions;

iii. – iv (No change.)

2. No change.)

(b) (No change.)